GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of Preventive detention made by the Collector and District Magistrate, YSR District in respect of Sri Theerthan Kanaka Raju, Age 30 years, S/o Theerthan, R/o Nayyamalai Village and Post, Pethanayakampalai Taluk, Selam District, Tamilnadu State – Confirmed Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.442 Dated:03.03.2023.

Read the following:-

1. From the Collector and District Magistrate, YSR District, Proceedings No.C1/08/M/2023, Dt:19.01.2023.
2. G.O.Rt.No.178, GA(SC.I) Department, Dt.27.01.2023.
3. Govt. Letter No.1969191*/GAD01-LOOACTS (PDAA)/ 9 /2023-SC.I/A3-2,* Dt: 02.02.2023.
4. Memo No:1963197-GAD01-LOOACTS (PDAA)/5/SC.I/A3/2023-3 Dated:14.02.2023
5. From the Advisory Board Report Dated:22.02.2023.

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ORDER:

WHEREAS, the Collector and District Magistrate, YSR District, has made an order of detention, vide reference first read above under Section-3(1) & (2) r/w Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Theerthan Kanaka Raju, Age 30 years, S/o Theerthan, R/o Nayyamalai Village and Post, Pethanayakampalai Taluk, Selam District, Tamilnadu State, Andhra Pradesh State, who is habituated to willful destruction of Government owned pristine Red sander forests committing or abetting the offences of trying to kill the Police and Forest officials, while the officials were discharging their legitimate duties of curtailing the illegal felling, theft and clandestine smuggling of the Red sander logs from the forest and illegal transporting to other states to gain illegal money thus, he is acting as prejudicial to the maintenance of the public order and he has involved in 05 cases.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members of the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. The case was reviewed by the Advisory Board on 22.02.2023 through video conference. After having heard the detenue, and the Investigating Officer, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has reported unanimously that in its opinion, "there is sufficient cause for the detention of the detenue".

(P.T.O.)

4. AND WHEREAS, the Government on careful examination of the entire record, it is observed that Sri Theerthan Kanaka Raju, Age 30 years, S/o Theerthan, R/o Nayyamalai Village and Post, Pethanayakampalai Taluk, Selam District, Tamilnadu State is found to be involved in as many as in five (05) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he habituated to willful destruction of Government owned pristine Red sander forests committing or abetting the offences of trying to kill the Police and Forest officials, while the officials were discharging their legitimate duties of curtailing the illegal felling, theft and clandestine smuggling of the Red sander logs from the forest and illegal transporting to other states to gain illegal money and cases are registered under various provisions U/s 307, 353, 379 (Theft of National Property), 120 (B), 109 r/w 34 IPC, Sec 20(1) C(ii) (iii) (iv) (vi) (x), Sec 29 (2) (b) (4) (a) of AP Forest (Amendment) Act, 2016 Rule 3 of AP Red Sandal Wood and Red Sanders Wood Transit Rules, 1969 and Rule 3 of AP Red Sanders Wood Possession Rules, 1989. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of "Goonda" as defined under section 2(g) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Collector and District Magistrate, YSR District in the reference 1st read above, as approved in the G.O. 2nd read above are hereby confirmed by the Government. The detention of Sri Theerthan Kanaka Raju, Age 30 years, S/o Theerthan, R/o Nayyamalai Village and Post, Pethanayakampalai Taluk, Selam District, Tamilnadu State shall be for a period of 12 (Twelve) months from the date of his detention, i.e., 21.01.2023 under Section 13 r/w Section 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVENOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To

Sri Theerthan Kanaka Raju, Age 30 years, S/o Theerthan, R/o Nayyamalai Village and Post, Pethanayakampalai Taluk, Selam District, Tamilnadu State through the Superintendent of Jails, Central Prison, Kadapa.

The Superintendent of Jails, Central Prison, Kadapa. (He should serve the order on the detenue immediately under proper acknowledgement and arrange to read over and explain the contents of the same in the language known to him and report compliance to Government forthwith).

The Collector and District Magistrate, YSR District.

The Superintendent of Police, YSR District.

Copy to:

The Director General of Police, A.P., Mangalagiri, Guntur District.

The Director General of Prisons and Correctional Services, A.P., Vijayawada.

The Director General of Police, Intelligence, A.P., Vijayawada.

The Special Government Pleader, Attached to Learned Advocate General, A.P. High Court, High Court Buildings, A.P., Amaravathi.

SC/SF.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)